

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

United States Magistrate Court
DDG-BDTX
FILED

OCT 20 2014 2B

for the

Southern District of Texas

United States of America)

v.)

Case No.)

Miguel Angel QUINTANILLA-Rivera (40))

Laredo, Texas, USA)

Defendant(s)

David J. Bradley, Clerk
Laredo Division

5:14mj 1341

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/17/2014 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and unlawfully posses with the
intent to distribute a controlled
substance listed under Schedule I, to
wit; approximately 3.83 kilograms of
suspected methamphetamine and 0.8
kilograms of suspected cocaine.

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.

Complainant's signature

Special Agent Jacob Hodges

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/18/2014City and state: Laredo, Texas

Judge's signature

U.S. Magistrate Judge Song Quiroga

Printed name and title

On 10-17-2014, United States Border Patrol Agent (BPA) Jesus Moreno Jr. was assigned to the United States Border Patrol Checkpoint located at mile marker 29 on IH-35 North. At approximately 3:03 p.m., BPA Moreno Jr. observed a white Volkswagen Jetta bearing Mexican license plate MRU-86-80 arrive at the checkpoint. BPA Moreno Jr. conducted an immigration inspection of the occupants in the vehicle who were identified by their B1/B2 Visa cards as the following: (Driver: Miguel Angel QUINTANILLA-Rivera ; Passenger: Andres GAMEZ-Cantu) During the immigration inspection, BPA Agent Enrique Juarez utilized his trained service canine to conduct a non-intrusive, free air sniff around the vehicle. At this time, the service canine alerted to the presence of concealed people/and or illegal contraband inside the vehicle, therefore, BPA Moreno Jr. requested QUINTANILLA-Rivera to park his vehicle in the secondary inspection area for further inspection. During the secondary inspection, BPA Juarez noticed that there was bondo near the rocker panel on each side of the vehicle. After removing the bondo from both rocker panels, BPA Juarez discovered an aftermarket compartment inside each rocker panel where bundles of suspected narcotics were located. In total, 11 bundles of methamphetamine and 2 bundles of cocaine were removed from the rocker panels.

The Drug Enforcement Administration (DEA) was notified and Special Agents Jacob Hodges and Kevin De Stefano responded to the checkpoint for further investigation. Border Patrol Intel Agent Ricardo Gonzalez assisted SA Hodges and SA De Stefano by translating during the interview with QUINTANILLA-Rivera and GAMEZ-Cantu. SA Hodges read QUINTANILLA-Rivera his Miranda Warning which was translated by BPA Gonzalez, as witnessed by SA De Stefano; QUINTANILLA-Rivera stated that he understood his rights and agreed to answer questions. SA Hodges asked QUINTANILLA-Rivera about the narcotics that were discovered in QUINTANILLA-Rivera's vehicle but before answering the question, QUINTANILLA-Rivera asked SA Hodges how much time QUINTANILLA-Rivera would have to spend in prison. SA Hodges explained that only a judge could determine how much time QUINTANILLA-Rivera would spend in prison if QUINTANILLA-Rivera was found to be guilty. QUINTANILLA-Rivera became emotional and began to cry. SA Hodges asked QUINTANILLA-Rivera about the narcotics a second time and QUINTANILLA-Rivera informed SA Hodges that GAMEZ-Cantu was innocent. SA De Stefano asked QUINTANILLA-Rivera if QUINTANILLA-Rivera was the only one who was going to be paid for driving the car to the United States, to which QUINTANILLA-Rivera acknowledged. QUINTANILLA-Rivera then requested to have an attorney present before answering any further questions. Agents then stopped the interview.

SA Hodges read GAMEZ-Cantu his Miranda Warning, which was translated by BPA Gonzalez, as witnessed by SA De Stefano; GAMEZ-Cantu stated that he understood his rights and agreed to answer questions. GAMEZ-Cantu advised agents that GAMEZ-Cantu accompanied QUINTANILLA-Rivera to the United States in order to shop for steel. GAMEZ-Cantu stated that he was unaware that drugs were located in the vehicle and further explained that QUINTANILLA-Rivera never told GAMEZ-Cantu that they were coming to the United States to smuggle narcotics.

After questioning GAMEZ-Cantu, QUINTANILLA-Rivera voluntarily requested to speak with agents. SA Hodges informed BPA Gonzalez that QUINTANILLA-Rivera has requested an attorney and he would need to complete a Waiver of Rights form before agents spoke with QUINTANILLA-Rivera. SA Hodges provided BPA Gonzalez with a Waiver of Rights form which was in Spanish. BPA Gonzalez read the form

to QUINTANILLA-Rivera and explained that QUINTANILLA-Rivera could not speak to the agents unless QUINTANILLA-Rivera agreed to waive his right to have an attorney present. QUINTANILLA-Rivera stated that he understood the details listed on the form and agreed to sign the Waiver of Rights form in order to speak to agents. QUINTANILLA-Rivera knowingly and wilfully signed the form and requested to speak to agents without an attorney being present.

SA Hodges asked QUINTANILLA-Rivera to explain how QUINTANILLA-Rivera became involved with smuggling the narcotics. QUINTANILLA-Rivera advised agents that QUINTANILLA-Rivera owned his own steel business and QUINTANILLA-Rivera was struggling to make money. QUINTANILLA-Rivera claimed that QUINTANILLA-Rivera met a person known only as "Efrain" who offered to pay QUINTANILLA-Rivera \$5,000-\$7,000 in United States Currency to smuggle drugs from Mexico to San Antonio, Texas. QUINTANILLA-Rivera further explained that QUINTANILLA-Rivera knew that there were illegal narcotics concealed in the vehicle, however, QUINTANILLA-Rivera was unsure of the type or quantity of the narcotics.